U.S. COURTS

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Attorneys for The Amalgamated Sugar Company

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF IDAHO

In re:) Case No. 96-02095
HIPWELL, TERRY,))))) MOTION FOR RELIEF FROM
Debtor.) AUTOMATIC STAY AND FO

The Amalgamated Sugar Company (TASCO) by and through its counsel of record, Penland, Munther, Boardman, Chartered, hereby moves, pursuant to 11 U.S.C. § 362(d) for relief from the automatic stay and for set off. The amount to be set off is \$25,293.24. This motion is brought in accordance with the direction of the Court contained in its Memorandum Decision dated March 18, 1997 and for the reasons and on the grounds set forth therein.

DATED this day of March, 1997.

PENLAND MUNTHER BOARDMAN. CHARTERED

Richard C. Boardman, Of the Firm

Attorneys for The Amalgamated Sugar Company

CERTIFICATE OF SERVICE

I, the undersigned, certify that on the **Z** day of March, 1997, I caused a true and correct copy of the foregoing to be forwarded with all required charges prepaid, by the method(s) indicated below, in accordance with the rules of procedure, to the following persons:

Howard R. Foley Foley & Freeman, Chartered 77 East Idaho Street P.O. Box 10 Meridian, ID 83680	Hand Delivery U.S. Mail Facsimile Overnight Mail	<u>X</u>
Office of the U.S. Trustee 304 North Eighth Street, Ste. 347 P.O. Box 110 Boise, ID 83701	Hand Delivery U.S. Mail Facsimile Overnight Mail	X
United States Trustee Ronald D. Schoen P.O. Box 216 Payette, ID 83661	Hand Delivery U.S. Mail Facsimile Overnight Mail	_X
John D. Harrington White, Peterson, Pruss, Morrow & Gigray, P.A. 104 9th Ave. S. P. O. Box 247 Nampa, ID 83653-0247	Hand Delivery U.S. Mail Facsimile Overnight Mail	<u>X</u>